

**RECEIVED  
CENTRAL FAX CENTER**

OCT 05 2005

**FAX TRANSMISSION****DATE:** October 5, 2005**PTO IDENTIFIER:** Application Number 10/638,234-Conf. #4108  
Patent Number**Inventor:** Jacques V. Snick et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** FULBRIGHT & JAWORSKI L.L.P.

Norman D. Hanson

**PHONE:** (212) 318-3168**Attorney Dkt. #:** NY-LUD 5582.1 DIV (10019655)**PAGES (Including Cover Sheet):** 4**CONTENTS:** Response to Election of Species Requirement (2 pages)  
Certificate of Transmission (1 page)

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (212) 318-3168 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

**FULBRIGHT & JAWORSKI L.L.P.**  
666 Fifth Avenue, New York, New York 10103  
Telephone: (212) 318-3000 Facsimile: (212) 318-3400

BEST AVAILABLE COPY

**RECEIVED  
CENTRAL FAX CENTER**

OCT 05 2005

LUD 5582.1 DIV (10019655)  
(PATENT)

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below.

Dated: October 5, 2005 Signature: Fani Malikouzakakis

(Fani Malikouzakakis)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Jacques V. Snick et al.

Application No.: 10/638,234

Confirmation No.: 4108

Filed: August 8, 2003

Art Unit: 1646

For: METHOD FOR MAKING CYTOKINE  
SPECIFIC ANTIBODIES AND USES  
THER EOF

Examiner: P. M. Mertz

**LETTER RE RESTRICTION REQUIREMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The Office Action of September 27, 2005 requires restriction amongst claims 1-43.

Unfortunately, claims 1-43 were CANCELED via preliminary amendment of August 8, 2003. The pending claims are claims 44-62. Please see the attached copy of the Preliminary Amendment, and the stamped, self-addressed postcard indicating its receipt. PAIR indicates receipt as well.

At the very least, the preliminary amendment renders Groups 1, 2, 4, 5, 6, 7, and 9-13. Only original Groups 3, 8, and 14 are believed pertinent.

25582990.1

Application No.: 10/638,234

Docket No.: LUD 5582.1 DIV (10019655)

In view of this, it is believed the restriction requirement is improper and requires withdrawal.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0624, under Order No. NY-LUD 5582.1 DIV (10019655) from which the undersigned is authorized to draw.

Dated: October 5, 2005

Respectfully submitted,

By 

Norman D. Hanson

Registration No.: 30,946

FULBRIGHT &amp; JAWORSKI L.L.P.

666 Fifth Avenue

New York, New York 10103

(212) 318-3000

(212) 318-3400 (Fax)

Attorney for Applicant

PTO/SB/97 (09-04)

Approved for use through 07/31/2008. OMB 0651-0031

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Application No. (if known): 10/638,234

Attorney Docket No.: NY-LUD 5582-US1-DIV

**Certificate of Transmission under 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on October 5, 2005  
Date



Signature

Fani Malikouzakis

Typed or printed name of person signing Certificate

Registration Number, if applicable

(212) 318-3220

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Response to Election of Species Requirement (2 pages)